

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 127 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 2-7-1-9 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JANUARY 1, 2006 (RETROACTIVE)]:
- 5 Sec. 9. "Lobbying" means **either of the following:**
- 6 (1) Communicating by any means, or paying others to
- 7 communicate by any means, with any legislative official with the
- 8 purpose of influencing any legislative action.
- 9 (2) **The activities of a public benefit organization to**
- 10 **communicate by any means, or to pay others to communicate**
- 11 **by any means, to:**
- 12 (A) **inform the general public; or**
- 13 (B) **urge the general public to take an action;**
- 14 **to influence any legislative action.**
- 15 SECTION 2. IC 2-7-1-12.5 IS ADDED TO THE INDIANA CODE
- 16 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
- 17 JANUARY 1, 2006 (RETROACTIVE)]: **Sec. 12.5. "Public benefit**
- 18 **organization" means a person or an organization that does any of**
- 19 **the following:**
- 20 (1) **Promote the orderly change of administration of the offices**
- 21 **of governor and lieutenant governor.**
- 22 (2) **Support the office of governor by various activities and**
- 23 **financial assistance tending to lessen the burdens of**
- 24 **government.**
- 25 (3) **Promote the governor's policy agenda through grassroots**

1 **and legislative lobbying and issue advocacy.**

2 SECTION 3. IC 2-7-3-3 IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JANUARY 1, 2006 (RETROACTIVE)]: Sec. 3. (a) The
4 activity reports of each lobbyist shall include the following:

5 (1) A complete and current statement of the information required
6 to be supplied under IC 2-7-2-3 and IC 2-7-2-4.

7 (2) Total expenditures on lobbying (prorated, if necessary) broken
8 down to include at least the following categories:

9 (A) Compensation to others who perform lobbying services.

10 (B) Reimbursement to others who perform lobbying services.

11 (C) Receptions.

12 (D) Entertainment, including meals. However, a function to
13 which the entire general assembly is invited is not lobbying
14 under this article.

15 (E) Gifts made to an employee of the general assembly or a
16 member of the immediate family of an employee of the general
17 assembly.

18 **(F) If the lobbyist is a public benefit organization,**
19 **advertising, mass mailings, publications, communications**
20 **in the mass media, or other efforts to inform the general**
21 **public or to urge the general public to take any action for**
22 **the purpose of influencing legislative action. The lobbyist**
23 **must provide the following information relating to the**
24 **lobbyist's expenses under this clause:**

25 **(i) The name of each person that carried the lobbyist's**
26 **communications.**

27 **(ii) The dates that communications were made.**

28 **(iii) The dollar amount spent on the communications**
29 **with each person that carried the lobbyist's**
30 **communication.**

31 **(iv) The total amount spent on communications**
32 **described in this clause.**

33 (3) A statement of expenditures and gifts that equal one hundred
34 dollars (\$100) or more in one (1) day, or that together total more
35 than five hundred dollars (\$500) during the calendar year, if the
36 expenditures and gifts are made by the registrant or ~~his~~ **the**
37 **registrant's** agent to benefit:

38 (A) a member of the general assembly;

39 (B) an officer of the general assembly;

40 (C) an employee of the general assembly; or

41 (D) a member of the immediate family of anyone included in
42 clause (A), (B), or (C).

43 (4) Whenever a lobbyist makes an expenditure that is for the
44 benefit of all of the members of the general assembly on a given
45 occasion, the total amount expended shall be reported, but the
46 lobbyist shall not prorate the expenditure among each member of
47 the general assembly.

(5) A list of the general subject matter of each bill or resolution concerning which a lobbying effort was made within the registration period.

(6) The name of the beneficiary of each expenditure or gift made by the lobbyist or ~~his~~ **the lobbyist's** agent that is required to be reported under subdivision (3).

(7) The name of each member of the general assembly from whom the lobbyist has received an affidavit required under IC 2-2.1-3-3.5.

(b) In the second semiannual report, when total amounts are required to be reported, totals shall be stated both for the period covered by the statement and for the entire reporting year.

(c) An amount reported under this section is not required to include the following:

(1) Overhead costs.

(2) Charges for any of the following:

(A) Postage.

(B) Express mail service.

(C) Stationery.

(D) Facsimile transmissions.

(E) Telephone calls.

(3) Expenditures for the personal services of clerical and other support staff persons who are not lobbyists.

(4) Expenditures for leasing or renting an office.

(5) Expenditures for lodging, meals, and other personal expenses of the lobbyist."

Page 10, between lines 17 and 18, begin a new paragraph and insert:

"(c) Notwithstanding subsection (b), this chapter applies to a public benefit organization, as defined by IC 2-7-1-12.5."

Page 11, between lines 12 and 13, begin a new line block indented and insert:

"(5) For expenses for advertising, mass mailings, publications, and communications in the mass media, the following information:

(A) The name of each person that carried the communications.

(B) The dates that communications were made.

(C) The dollar amount spent on the communications with each person that carried the communication.

(D) The total amount spent on communications described in this subdivision."

Page 11, line 13, delete "(5)" and insert "(6)".

Page 11, line 15, delete "(6)" and insert "(7)".

Page 11, line 19, delete "(7)" and insert "(8)".

Page 11, after line 23, begin a new paragraph and insert:

"SECTION 9. [EFFECTIVE JANUARY 1, 2006 (RETROACTIVE)]: (a) The definitions in IC 2-7-1, as amended by

- 1 **this act, apply throughout this SECTION.**
2 **(b) The requirement for a public benefit organization that**
3 **engages in lobbying to:**
4 **(1) register as a lobbyist under IC 2-7, as amended by this act;**
5 **and**
6 **(2) report lobbying activities under IC 2-7-3, as amended by**
7 **this act;**
8 **applies only to lobbying activities that occur after December 31,**
9 **2005.**
10 **(c) Notwithstanding IC 2-7-2-2, a public benefit organization**
11 **that engaged in lobbying activities after December 31, 2005,**
12 **complies with IC 2-7-2-2 if the public benefit organization registers**
13 **with the lobby registration commission not later than April 1, 2006.**
14 **(d) This SECTION expires July 1, 2008.**
15 **SECTION 10. An emergency is declared for this act."**
16 Renumber all SECTIONS consecutively.
 (Reference is to ESB 127 as printed February 24, 2006.)

Representative Mahern